

FIRST REGULAR SESSION

SENATE BILL NO. 545

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHMITT.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2110S.01I

AN ACT

To repeal section 393.110, RSMo, and to enact in lieu thereof one new section relating to electrical corporations that operate on the not-for-profit cooperative business plan.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 393.110, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.110, to read as follows:

393.110. 1. Sections 393.110 to 393.285 shall apply to the manufacture and furnishing of gas for light, heat or power and the furnishing of natural gas for light, heat or power, and the generation, furnishing and transmission of electricity for light, heat or power, the supplying and distributing of water for any purpose whatsoever, and the furnishing of a sewer system for the collection, carriage, treatment or disposal of sewage for municipal, domestic or other beneficial or necessary purpose.

2. Notwithstanding any provision [in chapter 386, RSMo, or this chapter] **of law** to the contrary, the public service commission shall [not] have jurisdiction over the rates, financing, accounting, [or] **and** management of any electrical corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation, and which holds a certificate of public convenience and necessity to serve a majority of its consumer-owners in counties of the third classification as of August 28, [2003] **2009**. [Nothing in this section shall be construed as amending or superseding the commission's authority granted in and pursuant to subsection 1 of section 386.310, RSMo, in section 386.800, RSMo, section 393.106, and section 394.312, RSMo.]

✓

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.